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| 10/074,513 | 02/12/2002 | Kevin Packingham | 1756 | 6715 |

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EXAMINER

CHOW, MING

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| ART UNIT | PAPER NUMBER |
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2645

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,513

Applicant(s)

PACKINGHAM ET AL.

Examiner

Ming Chow

Art Unit

2645

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-12, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahmad et al (US: 6880171).

For claim 1, Ahmad et al teach on column 2 line 66 to column 3 line 19, enables a session of obtaining information (claimed “content”) from a specified group of sources (reads on claimed “server”) and displaying the information on an electronic device (claimed “client device”).

Ahmad et al teach on column 6 line 42-44, the first portion of information is an audiovisual data (claimed “a state of session” and “delivering content in a first presentation mode”). The content is associated with audiovisual state.

Ahmad et al teach on column 22 line 64 to column 23 line 31, Fig. 3, partitioning the primary and secondary information of different format (claimed “storing a state record.....defining the state of the session”). The “segment boundaries” and “breaks within the window” of Fig. 3 are the claimed “state record”. The boundaries and breaks must be stored in order to partition the information of different format.

Ahmad et al teach on column 6 line 33-35, an interface that enables termination (claimed “mode-switching signal”) of the current segment display and beginning of a new segment display (claimed “in response to the mode-switching signal, continuing the session in the state by delivering the content, formatted for a second presentation mode, to the client device”).

Regarding claims 2, 5, the “audiovisual” data reads on the claimed “voice-based format”.

Regarding claims 3, 4, Ahmad et al teach on column 3 line 7, text display (claimed “a screen-based format”).

Regarding claims 6, 7, 11, Ahmad et al teach on column 3 line 16-17, TV News Programs. The original format of the news programs on the server is in digital (0s and 1s) form. The format must be transcoded in radio form for TV broadcasting.

Ahmad et al teach on column 6 line 2-4, 2-way wireless communication (claimed “an air interface”).

Regarding claim 8, Ahmad et al teach on column 4 line 32-35, a program map for navigation.

Regarding claim 9, Ahmad et al teach on column 20 line 62 to column 21 line 7, the data can be acquired via URL (claimed “URI”).

Regarding claim 10, Ahmad et al teach on item 104 Fig. 1, data storage device (claimed “cache”). The acquired data are stored in the data storage device before it’s transmitted to the client device.

Regarding claim 12, Ahmad et al teach on column 6 line 33-35, an interface that enables termination of the current segment display and beginning of a new segment display (claimed “receiving a mode-switching signal from the client device”). The “mode-switch signal” is the claimed “service request” (see also rejections stated in claim 1 above for limitation of “mode-switch signal”). The “service request” identifies the second presentation mode (i.e., text display). Ahmad et al teach on column 20 line 62 to column 21 line 7, the data can be acquired via an URL (claimed “URI”). When the text is acquired via an URL, it is inherent the client device must be identified (by IP address) for receiving the content of the specified URL.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad et al as applied to claim 12 above, and in view of Shrader (US: 6851060).

Regarding claim 13, Ahmad et al failed to teach “determining whether the client device is authorized to receive content”. However, Shrader teaches on column 2 line 22 to column 3 line 9, authentication for accessing data via an URL.

It would have been obvious to one skilled at the time the invention was made to modify Ahmad et al to have the “determining whether the client device is authorized to receive content” as taught by Shrader such that the modified system of Ahmad et al would be able to support the system users conveniences of securing web data.

Regarding claim 14, Ahmad et al teach on Fig. 3, identifying the break and boundary (claimed “locating the state record”).

Response to Arguments

3. Applicant's arguments filed on 11/9/05 have been fully considered but they are not persuasive.

- i) Applicant argues, on page 11, regarding Ahmad et al do not teach “in response to a mode-switching signal”. The Examiner disagrees with the arguments. Ahmad et al teach on column 6 line 33-35, an interface that enables termination (claimed “mode-switching signal”) of the current segment display and beginning of a new segment display (claimed “in response to the mode-switching signal, continuing the session in the state by delivering the content, formatted for a second presentation mode, to the client device”). In response to the termination of the current segment display, the new segment display is begun.
- ii) Applicant argues, on page 12, regarding Ahmad et al does not teach continuing a session by delivering content in a second presentation mode format. The Examiner disagrees. Ahmad et al clearly teach on column 6 line 33-35, an interface that enables termination (claimed “mode-switching signal”) of the current segment display and beginning of a new segment display. The display of the current display is the claimed “first format” and the display of the new segment is the claimed “second format”. As Applicant admitted on page 10, the ‘format’ means the content is formatted for

presentation. The displays of “current segment” and “new segment” as taught by Ahmad et al are two different displays. Therefore, the two different displays are two different formats.

- iii) Applicant argues, on page 13, regarding claim 14. As claim 14 depends on claim 13 which is rejected under 35 U.S.C. 103(a). Therefore, claim 14 is now rejected under 35 U.S.C. 103(a) without changing the original art rejection. As Applicant has amended claims 1, 12, 13, rejections to claims 1, 12, 13, 14 stated in this Office Action are new grounds rejections necessitated by the amendments.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
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